

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JOHN R. SEYMOUR,)	
)	
Plaintiff,)	
)	
v.)	CIV. NO. 3:19-CV-00357
)	(POPLIN)
ANDREW SAUL,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER OF REMAND UNDER SENTENCE FOUR
OF 42 U.S.C. § 405(g) WITH REMAND TO DEFENDANT AND INSTRUCTION TO
ASSIGN TO A NEW ADMINISTRATIVE LAW JUDGE

Before the Court are the Parties' Joint Motion to for Entry of Judgment [Doc. 21] and Plaintiff's Motion for Summary Judgment [Doc. 18].

Pursuant to the power of this Court under sentence four of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g) and in light of the joint motion to remand this action, the Court now, upon substantive review, hereby **GRANTS** the Joint Motion for Entry of Judgment [**Doc. 21**], remanding this cause to the Commissioner according to the following terms. *See Shalala v. Schaefer*, 509 U.S. 292, 296 (1993).

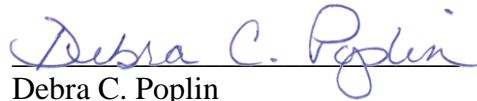
On remand, the Appeals Council will remand the case to a different ALJ pursuant to Social Security Ruling (SSR) 19-1p, and instruct the new ALJ to further evaluate the opinion evidence, reconsider Plaintiff's residual functional capacity, with psychiatric or psychological expert evidence, if necessary; and, if warranted, obtain vocational expert evidence.

Plaintiff's Motion for Summary Judgment [Doc. 18] is therefore **DENIED AS MOOT**. The Commissioner's Motion for Extension of Time [Doc. 20] is also **DENIED AS MOOT**. The

Court will enter a separate judgment will issue pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

ENTER:

A handwritten signature in blue ink, reading "Debra C. Poplin", is written over a horizontal line.

Debra C. Poplin
United States Magistrate Judge